

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

v.

Otis Leonard Ross,

Defendant.

Case No.: 2:21-cr-00123-CDS-EJY

Order Granting Motion for Early
Termination of Supervised Release

(ECF No. 4)

Defendant, proceeding pro se, moves for early termination of supervised release. ECF No. 4. The motion is GRANTED. Supervised release is hereby terminated, effective now.

I. Background Information

On February 22, 2018, Ross was sentenced in the United States District Court for the District of New Mexico to 48 months of imprisonment followed by three years of supervised release for committing the offense of Possession with Intent to Distribute a Mixture and Substance Containing a Detectable Amount of Methamphetamine in violation of 21 U.S.C. § 8341(b)(1)(C). According to Ross's motion, he commenced his term of supervised release on in August 2020. ECF No. 4 at 2. Ross's supervision by the United States Probation Office was officially transferred to this District in May of 2021 shortly after he commenced supervision. *See* Proposed Order Requesting Transfer of Jurisdiction, ECF No. 1. The transfer paperwork notes that Ross had been supervised in this District prior to the official transfer of jurisdiction was finalized. *See id.* at 1 ("As a resident of Las Vegas, Nevada, [Ross] immediately commenced supervision in our district following his release from custody.").

1 On July 11, 2022, Ross filed a motion to grant early discharge of supervised release. ECF
2 No. 11. Ross argues that he commenced his term of supervision almost two years ago, and since
3 that date has incurred no violations. ECF No. 4 at 2. He further notes that he has maintained a
4 steady job, has completed an after-care program, and performed over 300 hours of community
5 service. *Id.* Ross represents that he is a positive and productive member of society, and that his
6 success on supervised release, together with 18 U.S.C. § 3553 and other applicable authority,
7 warrants early discharge. *See generally id.*

8 The United States filed a response to the motion, noting that following a case review and
9 in conjunction with conversations with the United States Probation Office, the government
10 submitted Defendant's Motion to the discretion of the Court. ECF No. 6.

11 Having considered the information before the Court, the motion for early termination
12 (ECF No. 4) is GRANTED.

13 II. Analysis

14 Title 18, United States Code, Section 3583(e)(1) provides that a court may, after
15 consideration of the factors set forth in 18 U.S.C. § 3553, "terminate a term of supervised release
16 ... at any time after the expiration of one year of supervised release ... if it is satisfied that such
17 action is warranted by the conduct of the defendant released and the interest of justice." 18
18 U.S.C. 3583(e)(1). The factors are: (1) the nature and circumstances of the offense and the
19 history and characteristics of the defendant; (2) deterrence; (3) protection of the public; (4) the
20 need to provide the defendant with educational, vocational training, medical care or other
21 rehabilitation; (5) the sentence and sentencing range established for the category of defendant;
22 (6) any pertinent policy statement by the Sentencing Commission; (7) the need to avoid
23 unwarranted sentence disparities among defendants with similar records who have been found
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1 guilty of similar conduct; and (8) the need to provide restitution to any victims of the offense. 18
2 U.S.C. 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7).

3 Defendants is approximately 15 days shy of completing two years of supervised release.
4 There is no information before the Court demonstrating that Mr. Ross has not been fully
5 compliant with the terms of his supervision. There are no violation reports in the docket and
6 neither the United States nor the Probation Office are opposing the motion. Given the lack of
7 any opposition to the Motion, together with defendant's compliance with supervision, his
8 steady employment, dutiful performance of 300 community service hours, and completion of
9 specialty programing, supervised release is terminated, effective immediately. The Court
10 congratulates Ross on his successful completion of his term of supervised release.

11 **III. Conclusion**

12 Supervised release of defendant Otis Leonard Ross is hereby TERMINATED, effective
13 immediately.

14 IT IS SO ORDERED.

15 DATED this 9th day of August, 2022.

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U.S. District Judge Cristina D. Silva